

February 16, 1970

Jarman  
Johnson, Calif.  
Johnson, Pa.  
Jonas  
Jones, N.C.  
Jones, Tenn.  
Karth  
Kazen  
Kee  
Keith  
Kluczynski  
Koch  
Kuykendall  
Kyl  
Kyros  
Langen  
Latta  
Lloyd  
Lowenstein  
McClary  
McClure  
McDade  
McDonald,  
Mich.  
McEwen  
McFall  
McMillan  
Macdonald,  
Mass.  
MacGregor  
Madden  
Mahon  
Mailliard  
Mann  
Marsh  
Martin  
Matsunaga  
Mayne  
Meeds  
Melcher  
Meskill  
Michel  
Mikva  
Miller, Calif.  
Miller, Ohio  
Mills  
Minish  
Mink  
Minshall  
Mizell  
Mollohan  
Montgomery  
Moorhead  
Morgan

Mosher  
Murphy, Ill.  
Murphy, N.Y.  
Natcher  
Nedzi  
Nelsen  
Nix  
Obey  
O'Hara  
Olsen  
O'Neal, Ga.  
O'Neill, Mass.  
Passman  
Patman  
Patten  
Perkins  
Phillips  
Pickle  
Pike  
Pirnie  
Poage  
Podell  
Poff  
Pollock  
Preyer, N.C.  
Price, Ill.  
Price, Tex.  
Pryor, Ark.  
Pucinski  
Purcell  
Quillen  
Randall  
Reid, Ill.  
Reid, N.Y.  
Reifel  
Reuss  
Rhodes  
Roberts  
Robison  
Roe  
Rogers, Colo.  
Rogers, Fla.  
Rooney, N.Y.  
Rooney, Pa.  
Rosenthal  
Rostenkowski  
Roth  
Roybal  
Ruth  
Ryan  
Sandman  
Satterfield  
Saylor  
Schadeberg

Scheuer  
Schneebeli  
Schwengel  
Scott  
Shipley  
Sikes  
Sisk  
Slack  
Smith, Iowa  
Stafford  
Staggers  
Stanton  
Steed  
Steiger, Wis.  
Stephens  
Stratton  
Stuckey  
Sullivan  
Talcott  
Taylor  
Thompson, Ga.  
Thompson, N.J.  
Thomson, Wis.  
Tiernan  
Udall  
Ullman  
Van Deerlin  
Vander Jagt  
Vank  
Vigorito  
Waggonner  
Waldie  
Wampler  
Watts  
Welcker  
Whalen  
Whalley  
White  
Whitehurst  
Whitten  
Widnall  
Williams  
Wilson, Bob  
Wold  
Wolff  
Wright  
Wyatt  
Wylie  
Wyman  
Yatron  
Young  
Zion  
Zwach

## NAYS—19

Belcher  
Cowger  
Denney  
Dennis  
Foreman  
Gross  
Hall

## NOT VOTING—112

Adair  
Adams  
Albert  
Anderson,  
Tenn.  
Ashbrook  
Ashley  
Aspinall  
Barrett  
Bell, Calif.  
Berry  
Bevill  
Biaggi  
Blanton  
Blatnik  
Brock  
Brotzman  
Brown, Calif.  
Brown, Ohio  
Buchanan  
Burton, Calif.  
Burton, Utah  
Button  
Chisholm  
Clawson, Del  
Clay  
Conyers  
Cramer  
Culver  
Dawson  
Delaney  
Devine  
Dickinson  
Diggs  
Dwyer  
Eckhardt  
Eshleman  
Fallon  
Findley

Fisher  
Ford,  
William D.  
Fraser  
Frelinghuysen  
Gallagher  
Gray  
Griffiths  
Gubser  
Hagan  
Halpern  
Hamilton  
Hanna  
Hansen, Wash.  
Harrington  
Hays  
Helstoski  
Henderson  
Jones, Ala.  
Kastenmeier  
King  
Kirwan  
Kleppe  
Landgrebe  
Landrum  
Leggett  
Lennon  
Long, La.  
Long, Md.  
Lujan  
Lukens  
McCarthy  
McCloskey  
McCulloch  
McKneally  
Mathias  
May  
Monagan  
Morse

Skubitz  
Smith, N.Y.  
Snyder  
Steiger, Ariz.  
Utt  
Winn

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Albert with Mr. Adair.  
Mrs. Griffiths with Mrs. Dwyer.  
Mr. Teague of Texas with Mr. Smith of California.  
Mr. Rodino with Mr. Morse.  
Mr. Delaney with Mr. Morton.  
Mr. Ashley with Mr. Ashbrook.  
Mr. Charles H. Wilson with Mr. Rousebush.  
Mr. Fallon with Mr. McKneally.  
Mr. St. Onge with Mr. Del Clawson.  
Mr. Gallagher with Mr. Button.  
Mr. Hays with Mr. Brotzman.  
Mr. St Germain with Mr. Kleppe.  
Mr. Gray with Mr. Landgrebe.  
Mr. Long of Maryland with Mr. Berry.  
Mr. Leggett with Mr. Brown of Ohio.  
Mr. Blatnik with Mr. Lukens.  
Mr. Aspinall with Mr. Gubser.  
Mr. Adams with Mr. Burton of Utah.  
Mr. Henderson with Mr. Brock.  
Mr. Zablocki with Mr. Wylder.  
Mr. Yates with Mr. McCloskey.  
Mr. Kirwan with Mr. Lujan.  
Mr. Jones of Alabama with Mr. Watson.  
Mr. Biaggi with Mr. Halpern.  
Mr. Burton of California with Mr. Wiggins.  
Mr. Culver with Mr. Buchanan.  
Mr. Fisher with Mr. Cramer.  
Mr. Hamilton with Mr. McCulloch.  
Mr. Stubblefield with Mr. Findley.  
Mr. Rivers with Mr. King.  
Mr. Pepper with Mr. Watkins.  
Mr. Ottinger with Mr. Bell of California.  
Mr. Nichols with Mrs. May.  
Mr. Moss with Mr. Mathias.  
Mr. Monagan with Mr. Frelinghuysen.  
Mr. Anderson of Tennessee with Mr. Quile.  
Mr. Barrett with Mr. Myers.  
Mr. Helstoski with Mr. Eshleman.  
Mr. Blanton with Rallsback.  
Mr. Kastenmeier with Mr. O'Konski.  
Mr. Hanna with Mr. Devine.  
Mr. William D. Ford with Mr. Taft.  
Mr. Long of Louisiana with Mr. Dickinson.  
Mr. Rees with Mr. Pelly.

Mrs. Hansen of Washington with Mr. Teague of California.

Mr. Fraser with Mr. Conyers.  
Mr. Stokes with Mr. Brown of California.  
Mr. Tunney with Mr. Ruppe.  
Mr. Clay with Mr. McCarthy.  
Mr. Eckhardt with Mr. Pettis.  
Mr. Harrington with Mr. Springer.  
Mr. Hagan with Mr. Riegle.  
Mrs. Chisholm with Mr. Powell.  
Mr. Diggs with Mr. Symington.  
Mr. Bevill with Mr. Landrum.

Mr. DUNCAN changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

## GENERAL LEAVE TO EXTEND

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days during which to extend their remarks on the bill H.R. 1049.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

# AMENDING TITLE 44, UNITED STATES CODE, TO FACILITATE THE DISPOSAL OF GOVERNMENT RECORDS AND TO ABOLISH THE JOINT COMMITTEE ON THE DISPOSITION OF EXECUTIVE PAPERS

Mr. DENT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14300) to amend title 44, United States Code, to facilitate the disposal of Government records without sufficient value to warrant their continued preservation, to abolish the Joint Committee on the Disposition of Executive Papers, and for other purposes, as amended.

The Clerk read as follows:

H.R. 14300

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 33 (relating to disposal of records) of title 44, United States Code, is amended by inserting immediately after section 3303 thereof the following new section:*

"§ 3303a. Examination by Administrator of General Services of lists and schedules of records lacking preservation value; disposal of records

"(a) The Administrator of General Services shall examine the lists and schedules submitted to him under section 3303 of this title. If the Administrator determines that any of the records listed in a list or schedule submitted to him do not, or will not after the lapse of the period specified, have sufficient administrative, legal, research, or other value to warrant their continued preservation by the Government, he may—

"(1) notify the agency to that effect; and  
"(2) empower the agency to dispose of those records in accordance with regulations promulgated under section 3302 of this title.

"(b) Authorizations granted under schedules submitted to the Administrator under section 3303 (3) of this title shall be permissive and not mandatory.

"(c) The Administrator may request advice and counsel from the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives with respect to the disposal of any particular records under this chapter whenever he considers that—

"(1) those particular records may be of special interest to the Congress; or  
"(2) consultation with the Congress regarding the disposal of those particular records is in the public interest.

However, this subsection does not require the Administrator to request such advice and counsel as a regular procedure in the general disposal of records under this chapter.

"(d) The Administrator shall make an annual report to the Congress concerning the disposal of records under this chapter, including general descriptions of the types of records disposed of and such other information as he considers appropriate to keep the Congress fully informed regarding the disposal of records under this chapter."

SEC. 2. (a) Section 3308 (relating to disposal of similar records where prior disposal was authorized) of title 44, United States Code, is amended by striking out "by Congress".

(b) Section 3309 (relating to preservation of claims of Government until settled in General Accounting Office) of title 44, United States Code, is amended by striking out "under sections 3306-3308 of this title" and inserting in lieu thereof "under this chapter".

(c) The following sections of chapter 33 of title 44, United States Code, are hereby repealed:

I also assure my good friend, the gentleman from Iowa, that when this matter comes before the House, it will have the most careful scrutiny.

I promise one other thing, that the Subcommittee on Fisheries and Wildlife Conservation will continue its careful scrutiny of the programs, and one of the programs we will be watching with great care is the program which we are now considering.

Mr. GROSS. I have no desire to take any more time on this bill, except to say that the Department which is most directly interested in this bill, the Department of the Interior, is opposed to it and asks that Congress enact a 1-year program at a cost of \$5 million.

Mr. DINGELL. I would just assure my friend, the gentleman from Iowa, that it was the judgment of the subcommittee and the judgment of the full committee that if we enact a 1-year extension, we might as well kill the bill, because very few of the States will be able to take advantage of it, which means the termination of many of the programs.

Mr. GROSS. This is the kind of program we have had in the past?

Mr. DINGELL. No; we have not. We have given aid to 2-, 3-, or even 4- or 5-year programs. Our committee does not believe in having 1-year programs, because it does not afford an adequate level of flexibility and opportunity to plan efficiently to make wise expenditures.

Mr. GROSS. The gentleman does not want to give us an opportunity to make it a 3-year program at \$5 million a year.

Mr. DINGELL. I would be happy to have my good friend, the gentleman from Iowa sit with us, and if he has amendments to offer, I would be glad to have him visit with us and offer them.

Mr. GROSS. That would be after the bill, would it not?

Mr. DINGELL. That is the best offer I can make.

Mr. GROSS. Mr. Speaker, I reserve the balance of my time.

Mr. DINGELL. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. GARMATZ).

Mr. GARMATZ. Mr. Speaker, a vote to extend the Anadromous Fish Conservation Act is a vote for conservation. I know every Member of the House understands that and appreciates the fact that this act is essential to the preservation of much of our Nation's valuable fishery resources. Unless the act is extended, and unless these funds are made available, then certain species of fish will forever disappear from the waters of our Nation. It is unthinkable that this would be allowed to happen.

Some of the funds which the extension of this act will make available will be used to protect the anadromous fish from the ravages of pollution, land filling, construction projects and other man-made hazards.

But this legislation will do more than simply provide money. It is designed to provide an incentive for States to join together in cooperative ventures to attack fishery problems that are common to these regional areas—instead of to isolated State areas. In this way, larger,

more effective programs, involving multi-State participation, can be successfully implemented.

The multistate venture is an activity that needs encouragement; it is an extremely important and essential requirement, if our national effort to save invaluable fisheries resources is to be successful. In the past, there has been a lack of coordination and a lack of motivation to share responsibility. This is both unfortunate and inequitable. Because of the nature of the anadromous fish—which lead migratory lives—many other areas besides those in which spawning occur benefit from the anadromous fish program.

As I said earlier, the legislation before us today is designed to stimulate multistate ventures. When two or more States agree to share the expenses of any given program, the Federal Government will contribute 60 percent of the total program cost—instead of the normal 50 percent, as in most matching fund programs. Also, the total cost to the States is reduced as more States join the project. This 60-40 arrangement will, of course, only apply to so-called basin areas, such as the Great Lakes, the Chesapeake Bay, and other similar bodies of water. The term "basin" would include rivers and their tributaries, lakes and other bodies of water as defined in the legislation.

I might also mention that the anadromous fish program already has been met with gratifying response from 31 States. Every coastal area of our Nation has participated in this program, including the Great Lakes, the gulf, and east and west coasts, Hawaii, and Alaska.

Mr. Speaker, this is a most important bill, and I urge its rapid passage. I am also hopeful that the Senate will follow our example, so that the very worthy proposals this legislation contains can be implemented as soon as possible.

Mr. GREEN of Oregon. Mr. Speaker, I would like to express my wholehearted support for extension and expansion of the Anadromous Fish Conservation Act.

There is no question in my mind that this act should be extended for it is one of the most successful pieces of legislation of its kind that has passed the Congress in recent years. Tremendous benefits have come from the relatively small amount of funds that have been put into the act since it first became law in 1965. Depleted fish stocks have been replenished as literally millions of anadromous fish have been added to the Nation's waters. Thousands upon thousands of sports fishermen are once again returning to our rivers and streams to fish—with some reasonable expectation of catching something. Commercial fishing has been enhanced and millions more additional pounds of salmon and other anadromous fish are available for the tables of America.

The economic impact of this legislation in the 4 years it has been funded has been unexpectedly good. The \$15 million in Federal grants, together with matching State funds, have returned close to \$150 million to the economy. Oregon and the other west coast States receive a sizable portion of the allocations but the benefits are certainly not

limited to that area. In fact, I am a little envious of the return other regions are getting. A \$6 million total investment in the Great Lakes region, for example, has generated returns of over \$63 million to that region's economy. In all, 29 States have participated in this program with an average return of almost \$5 for every \$1 invested.

Artificial propagation as well as research and conservation projects are essential to the survival and growth of the delicate anadromous fish for we have so disrupted and dirtied our waters that nature's methods no longer work. As we continue to clean up our rivers, streams and lakes in the years ahead, let us continue to replace the fish we have driven out. Continuation of this act will help.

Mr. DINGELL. Mr. Speaker, I have no further requests for time.

Mr. GROSS. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Michigan that the House suspend the rules and pass the bill H.R. 1049, as amended.

The question was taken.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 300, nays 19, not voting 112, as follows:

[Roll No. 12]

YEAS—300

Abbott	Chamberlain	Flowers
Abernethy	Chappell	Flynt
Addabbo	Clancy	Foley
Alexander	Clark	Ford, Gerald R.
Anderson,	Clausen,	Fountain
Calif.	Don H.	Frey
Anderson, Ill.	Cleveland	Friedel
Andrews, Ala.	Cohelan	Fulton, Pa.
Andrews,	Collier	Fulton, Tenn.
N. Dak.	Collins	Fuqua
Annunzio	Conner	Galifianakis
Arends	Conable	Garmatz
Ayres	Conte	Gaydos
Baring	Corbett	Getty
Beall, Md.	Corman	Giaino
Bennett	Coughlin	Gibbins
Betts	Crane	Gilbert
Biester	Cunningham	Goldwater
Bingham	Daddario	Gonzalez
Blackburn	Daniel, Va.	Goodling
Boggs	Daniels, N.J.	Green, Oreg.
Boland	Davis, Ga.	Green, Pa.
Bolling	Davis, Wis.	Griffin
Bow	De la Garza	Grover
Brademas	Dellenback	Gude
Brasco	Dent	Haley
Bray	Derwinski	Hanley
Brinkley	Dingell	Hansen, Idaho
Brooks	Donohue	Harshbarger
Broomfield	Dorn	Harvey
Brown, Mich.	Dowdy	Hastings
Eroyhill, N.C.	Downing	Hathaway
Broyhill, Va.	Dulski	Hawkins
Burke, Fla.	Duncan	Hebert
Burke, Mass.	Edmondson	Hechler, W. Va.
Burlison, Tex.	Edwards, Ala.	Heckler, Mass.
Burlison, Mo.	Edwards, Calif.	Hicks
Bush	Edwards, La.	Hogan
Byrne, Pa.	Ellberg	Hollifield
Byrnes, Wis.	Erlenborn	Horton
Cabell	Esch	Hosmer
Caffery	Evans, Colo.	Howard
Camp	Evins, Tenn.	Hull
Carey	Farbstein	Hungate
Carter	Fascell	Hunt
Casey	Feighan	Hutchinson
Cederberg	Fish	Ichord
Celler	Flood	Jacobs

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CONGRESSIONAL RECORD—HOUSE

H 821

(1) section 3304 (relating to lists and schedules of records lacking preservation value and their submission to Congress by the Administrator of General Services);

(2) section 3305 (relating to examination of lists and schedules by the joint congressional committee for the disposition of certain records of the United States Government and the report of that joint committee to the Congress);

(3) section 3306 (relating to disposal of records by agency heads upon notification by the Administrator of General Services of the action of the joint congressional committee); and

(4) section 3307 (relating to disposal of records upon failure of the joint congressional committee to act).

SEC. 3. The table of sections of chapter 33 of title 44, United States Code, is amended by striking out—

"3304. Lists and schedules of records lacking preservation value; submission to Congress by Administrator of General Services.

"3305. Examination of lists and schedules by joint congressional committee and report to Congress.

"3306. Disposal of records by head of Government agency upon notification by Administrator of General Services of action by joint congressional committee.

"3307. Disposal of records upon failure of joint congressional committee to act."

and inserting in lieu thereof—

"3303a. Examination by Administrator of General Services of lists and schedules of records lacking preservation value; disposal of records."

SEC. 4. Section 2909 (relating to retention of records) of title 44, United States Code, is amended by striking out "approved by Congress" wherever occurring therein.

The SPEAKER pro tempore (Mr. ROSTENKOWSKI). Is a second demanded? Mr. HANSEN of Idaho. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. DENT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 14300, cosponsored by the gentleman from Michigan (Mr. NEDZI) and the gentleman from California (Mr. PERRIS) Democratic and Republican members of the Joint Committee on the Disposition of Executive Papers would amend various sections of title 44, United States Code, to facilitate the disposal of Government records without sufficient value to warrant their continued preservation, to abolish the Joint Committee on the Disposition of Executive Papers, and for other purposes.

This bill is designed to vest full authority in the General Services Administration for the disposal of useless executive papers, a function which has been within the jurisdiction of the Joint Committee of the Disposition of Executive Papers since the Reorganization Act of 1946. The joint committee would be abolished under this act.

Under existing law various departments and agencies submit disposal recommendations to the General Services Administration. These are reviewed in GSA and in the National Archives where they are subject to adjustment. When agreement at the agency level is reached

on disposal requests, the material to be disposed of is catalogued and assigned a disposal schedule. This schedule in the form of a coded reference list of numbers is referred to the joint committee for appropriate attention. Members of the joint committee are called upon to approve this disposal schedule.

Briefly, the basis for this proposal lies in the fact that there are numerous Federal departments and agencies throughout the United States and, in fact, the world which are involved in varying degrees. It is virtually impossible for a congressional committee to maintain a realistic oversight over the disposal of executive papers because of the complexity, volume, and location of the various agencies and material concerned.

The bill proposes to authorize the General Services Administration in conjunction with the National Archives, to handle the matter at that level. The bill would retain a certain congressional oversight in that General Services Administration would be able to refer controversial matters to the House Administration Committee and to the Senate Rules and Administration Committee for mediation or settlement.

The joint committee, as authorized in the Reorganization Act and under the rules of the House is comprised of two House Members and two Senators. There is no chairman, no separate staff, and the committee has not formally met at least in the past 14 years. The paperwork involved in congressional authorization for the disposal of executive papers has always been handled by the staff of the Committee on House Administration. Under the existing arrangement, members of the joint committee are called upon to approve disposal lists and schedules about which they have no knowledge beyond the recommendation of the General Services Administration. Further, as pointed out earlier, it is impractical to attempt to develop a system which would give the joint committee members full background information on the disposal requests.

Both General Services Administration and the National Archives are in full support and recommend passage of H.R. 14300.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. DENT. Mr. Speaker, I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, what executive papers are covered? Does this cover the papers of a former President?

Mr. DENT. As long as they are executive records, it is my understanding they would come under that disposal plan.

Mr. GROSS. So it covers Presidential papers as well as papers of other executive officers, Cabinet officers of the Government?

Mr. DENT. When that particular agency which has jurisdiction over the papers requests that the material be disposed of, then the GSA makes its study and decides on the time for disposal of such papers. The move to dispose of the papers must originate within the department or agency that has jurisdiction.

Mr. GROSS. I did not suppose there were any Presidential papers left, for

any former President to dispose of. They all have libraries, and I understand they take everything that is loose and perhaps some of the stuff that is not loose when they leave office.

Will this have anything to do with a tax exemption or the appraisal of papers? Let me put the question this way: Do Presidents take a tax exemption on papers they turn over to libraries, either the library that bears their name or a university library?

Mr. DENT. I will yield to the chairman of the subcommittee to tell the gentleman what he thinks about that.

Mr. NEDZI. I thank the gentleman for yielding.

This is really irrelevant to the issue. The point is that this subcommittee did not have anything to say about disposing of the papers anyway. We did not know what they were. I, as a member of that subcommittee, received a list of numbers from the executive department. When I made some inquiry as to what I was signing to be disposed of, nobody knew. It was at that point I decided that the subcommittee was performing an absolutely useless function.

It was the General Services Administration which reviews reports from the various departments, and that is not just Presidential papers but other papers, such as Defense Department papers. The Agricultural Department and all the executive departments submit lists of documents they feel should be disposed of to the General Services Administration, who then authorizes their disposition subject to the signatures of the members of the Joint Committee on the Disposition of Executive papers.

I felt that was a totally useless function.

Mr. GROSS. I would have to say, in view of the explanation given by the gentleman from Pennsylvania and the gentleman from Michigan, that it must be more than an exercise in futility to be confronted with a situation of this kind.

I can understand the reason for the legislation, but I am still curious about these Presidential papers and the papers of certain other executives of the Government.

Will this cover the papers of Members of Congress?

Mr. NEDZI. Congress is not an executive agency; no yet.

Mr. GROSS. The gentleman is right. I thank the gentleman for yielding.

Mr. HANSEN of Idaho. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this bill. We are indebted to the distinguished gentleman from Michigan (Mr. NEDZI) and the distinguished gentleman from California (Mr. PERRIS) for calling the attention of the Congress to the necessity for this bill.

I believe it is a rather unusual but a very encouraging sign, when we see Members appointed to a committee who can bring back to us the information that the committee serves no useful purpose and the recommendation that it be abolished. I hope this bill will set some kind of a precedent. Its passage will

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streamline operations and save tax dollars.

Mr. Speaker, this bill—H.R. 14300—provides the House of Representatives with an opportunity to help streamline the procedures to handle the job of evaluating and disposing of useless executive papers and at the same time eliminate a nonessential committee of Congress.

Creation of a Joint Committee on Disposition of Executive Papers undoubtedly was based on sound enough reasoning originally. It was established to provide the machinery to make the final decisions as to the disposition of papers of the executive agencies and, by agreement, of the courts.

Under the present system the heads of the agencies or Government submit to the General Services Administration lists and schedules of records which they believe do not have sufficient value to warrant their retention. The Administrator of the General Services Administration reviews the proposals and forwards to Congress the lists of records when he agrees that they are not of sufficient value to retain. The lists come to the joint committee for final approval authorizing disposal of the records.

As a practical matter, however, approval by the joint committee of proposals to dispose of records can be nothing more than perfunctory since it is impossible to review and evaluate even the smallest portion of the many hundreds and thousands of documents and records involved.

In essence, members of the joint committee are expected to sign lists authorizing the disposal of records when they have no information as to their content and as a practical matter no way to find out.

This bill would eliminate the Joint Committee on Disposition of Executive Papers and provide that the Administrator of General Services could empower the various agencies to dispose of the records in line with the regulations promulgated by GSA covering disposal of records.

To assist the Administrator in carrying out this authority, the bill provides that if it is considered that any particular records may be of special interest to Congress or consultation with Congress about the disposal of any particular records is in the public interest, he may request advice and counsel of the Senate Committee on Rules and Administration and the Committee on House Administration of the House of Representatives.

Congressional oversight is also maintained under the bill in that it provides that the Administrator of the General Services Administration would be required to make an annual report to Congress concerning the disposal of records under this bill, to include such information as the description of the type of records to be disposed of and other information deemed appropriate to keep Congress fully informed.

Mr. Speaker, I believe the approach embodied in H.R. 14300 is reasonable and sound. It would eliminate a nonessential committee here in the Congress and would provide more efficient machinery within the executive branch to deal with

the problem of disposing of records, documents, and other materials which are determined to be no longer needed. I urge the House to support H.R. 14300.

Mr. DENT. Mr. Speaker, I yield such time as he may require to the gentleman from Michigan (Mr. NEDZI).

(Mr. NEDZI asked and was given permission to revise and extend his remarks.)

Mr. NEDZI. Mr. Speaker, I thank the gentleman for yielding me this time.

I want to thank the gentleman from Idaho for his support. In behalf of myself and the gentleman from California (Mr. PERRIS) I would like to express our deep appreciation to the chairman of the subcommittee (Mr. DENT) for cooperating and sharing the same kinds of concerns that we had about this joint committee. Without his help this bill would not be on the floor today. I think all of us in the Congress should be grateful for his assistance.

Mr. Speaker, H.R. 14300 was introduced by the gentleman from California (Mr. PERRIS) and myself and has as its purpose the abolition of the Joint Committee on the Disposition of Executive Papers.

The bill would vest authority in the General Services Administration for the disposal of useless executive papers, a function under the nominal jurisdiction of the aforementioned joint committee since the Reorganization Act of 1946.

When Congressman PERRIS and I were assigned as the House Members on this four-man joint committee we soon discovered that we had no meaningful role to play in the disposition of the mountains of executive papers which had been selected for elimination.

The established procedure calls for the head of each agency of the U.S. Government to submit to the Administrator of General Services a list of papers for disposition. The Administrator of General Services, in turn, forwards the list to Congress where it is passed on to the Joint Committee for perfunctory approval.

Each member of the joint committee merely affixes his signature to a sheet listing numbers and the names of departments with no other description. There is no chairman, no separate staff, and no meetings. Indeed, I am told that the committee has not met in at least the past 14 years.

I believe that the General Services Administration can handle the matter in its entirety. However, our bill would retain some congressional oversight in that GSA would refer any controversial matters to the House Administration Committee and to the Senate Rules and Administration Committee for meditation or settlement.

The need to dispose of useless papers, film, X-rays, and so forth, is unquestioned. Disposal saves money and space. I do not think that it is practical to try to develop a system where the joint committee would get more deeply involved. The General Services Administration should be able to handle the job.

The history of Congress indicates a proliferation of committees, subcommittees, and joint committees, a proliferation that is rarely checked

This is one small case where abolition of one small committee will be utterly painless.

I can assure you that this committee will never be missed.

Mr. DENT. Mr. Speaker, I have no further requests for time.

Mr. HANSEN of Idaho. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Pennsylvania, that the House suspend the rules and pass the bill H.R. 14300, as amended.

The question was taken; and (two-thirds having voted in favor thereof, the rules were suspended and the bill as amended, was passed.)

A motion to reconsider was laid on the table.

#### TO INCREASE CRIMINAL PENALTIES UNDER SHERMAN ANTITRUST ACT

Mr. CELLER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14116) to increase criminal penalties under the Sherman Antitrust Act.

The Clerk read as follows:

H.R. 14116

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 1, 2, and 3 of the Act of July 2, 1890 (26 Stat. 209), as amended, are hereby further amended by striking out, in each section where it appears, the phrase "fine not exceeding fifty thousand dollars" and in each instance substituting in lieu thereof the phrase "fine not exceeding five hundred thousand dollars if a corporation or fifty thousand dollars if any other person."*

The SPEAKER pro tempore. Is a second demanded?

Mr. POFF. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. CELLER. Mr. Speaker, I yield myself such time as I may consume.

(Mr. CELLER asked and was given permission to revise and extend his remarks and to include a letter from the Attorney General.)

Mr. CELLER. Mr. Speaker, H.R. 14116 increases from \$50,000 to \$500,000 the maximum fine which may be imposed upon a corporation in a criminal suit for violation of the Sherman Antitrust Act—15 United States Code 1, 2, and 3. At the present time the maximum penalty which may be imposed upon conviction for each count of an indictment under the Sherman Act is a fine not exceeding \$50,000, imprisonment not exceeding 1 year, or both, at the discretion of the court. H.R. 14116 makes no change in the penalties applicable to natural persons. The court will continue to exercise discretion in the imposition of punishment after consideration of the gravity and duration of the offense, its consequences upon the national economy, and the need to deter future practices of comparable nature.

When the Sherman Act was enacted in 1890, it provided for a fine of not more than \$5,000 or imprisonment for not more than 1 year, or both. Shortly thereafter there were complaints that the fine, the penalty applicable to corporate violators,

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